

ATTORNEY DOCKET NO.: 056291-5046  
 Application No.: 09/937,018  
 Page 2

### 3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00
<input type="checkbox"/> five months	\$2,010.00	\$1,005.00

If an additional extension of time is required, please consider this a Petition therefor.

- An extension for 1 months has already been secured and the fee paid therefor of \$110.00 is deducted from the total fee due for the total months of extension now requested.

Extension of time fee due with this request: \$310.00

### 4. Constructive Petition

- EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

ATTORNEY DOCKET NO.: 056291-5046  
 Application No.: 09/937,018  
 Page 3

**5. Fee Calculation (37 C.F.R. §1.16)**

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	43	minus	46	0	x \$18/\$9 each=	\$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	4	minus	4	0	x \$86/\$43 each=	\$ 0.00
First presentation of Multiple dependent claim(s): previously paid					\$290/\$145	\$ 0.00
SUB-TOTAL =						\$ 0.00
Fee for 2nd Month Extension of Time (1st month paid: \$420.00 - 110.00 =						\$ 310.00
TOTAL FEE =						\$ 310.00

**6. Fee Payment**

- The Commissioner is hereby authorized to charge \$310.00 to Deposit Account No. 50-0310 for Second-Month Extension of Time Fee.
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully Submitted,  
**Morgan Lewis & Bockius LLP**

By: \_\_\_\_\_  
 Donald J. Bird  
 Registration No. 25,323  
 Tel. No.: (202) 739-5320  
 Fax No.: (202) 739-3001

Date: February 24, 2004  
 Morgan Lewis & Bockius LLP  
 Customer No. 09629  
 1111 Pennsylvania Avenue, N.W.  
 Washington, D.C. 20004  
 Tel. No.: 202-739-3000  
 DJB:mk